

REMARKS**Interview Summary**

Applicants wish to thank the Examiner for courtesies extended to Applicants' representative during the telephone interview conducted on March 9, 2009 for the present application. During the interview, several features of Applicants' invention were discussed in an attempt to distinguish the claimed invention over the applied prior art and to advance prosecution of the present application. In addition, specific language was discussed in order to overcome the outstanding rejection under 35 U.S.C. § 101. Accordingly, Applicants have attempted to incorporate the substance of the interview into the presently amended claims.

Applicants have amended claims 1, 2, 13, and 16 to further define the invention. Accordingly, claims 1-8 and 10-21 are pending.

Rejection Under 35 U.S.C. § 101

On pages 6 to 7 of the Office Action, claims 1 and 16 stand rejected under 35 U.S.C. § 101, as allegedly not falling within one of the four statutory categories of invention. Specifically, the Office Action alleges that independent claims 1 and 16 recite a series of steps of acts that are neither tied to another statutory category nor transform underlying subject matter to a different state or thing.

Without acquiescing to this new ground of rejection, Applicants have amended independent claims 1 and 16 to more positively recite "a method *of using a program stored on a storable medium* for converting an input image..." Applicants respectfully assert that support for this new feature can be found at page 4, lines 20-22, wherein there is generally disclosed "a software-enabled utility that converts images from one format to

another.” Accordingly, Applicants respectfully assert that the amendments to independent claims 1 and 16 do not introduce new matter.

For the reasons set forth above, Applicants respectfully assert that amended independent claims 1 and 16 now clearly fall within one of the four statutory categories of invention. Thus, Applicants respectfully request that the rejection of claims 1 and 16, and presumably dependent claims 2-8 and 17-21, be withdrawn.

Rejections Under 35 U.S.C. § 102(e) and 103(a)

On pages 7 to 10 of the Office Action, claims 1, 7, 15, and 16 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Swift et al. (US 2002/0122585), with support for inherency being alleged by Swift et al. (US 6,556,236), claims 2, 13, 14, and 17 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Swift et al. (‘585) in view of Swift et al. (‘236), and claims 3-6, 8-12, and 18-21 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Swift et al. (‘585), Swift et al. (‘236), and Loveridge et al. (US 5,982,941). Applicants respectfully traverse these rejections for at least the following reasons.

Independent claim 1, as amended, recites a method of producing an output image including, in part, steps of “converting each pixel of the input image to a corresponding pixel for an output image in accord with a *support table matrix* setting forth a predefined relationship between the first format and the second format *to establish validity of the converting of the input image to the output image for a desired display method*,” and “formatting the output image *based upon the validity*,” (emphasis added).

Independent claim 13, as amended, recites a device for converting an input image having a first format to an output image having a second stereoscopic format including, in part, “a software-enabled matrix that sets forth predefined relationships between one format for image input and a different format for image output *to establish validity of the converting of the input image to the output image for a desired display method*” and “a processor configured to...convert the input image using the matrix *based upon the validity* to an output image having the second stereoscopic format,” (emphasis added).

Independent claim 16, as amended, recites a method of producing an output image by converting an input image in a first stereoscopic format to an output image having a second stereoscopic format including, in part, a step of “converting each pixel of the input image to a corresponding pixel for the output image in accord with a *support table matrix* setting forth a predefined relationship between the first stereoscopic format and the second stereoscopic format *to establish a validity of the converting of each pixel of the input image to the corresponding pixel for the output image for a desired display method*, thereby creating the output image *based upon the validity*,” (emphasis added).

In direct contrast to Applicants’ claimed invention, Swift et al. (‘585) and/or Swift et al. (‘236) are completely silent with regard to using a support table matrix for establishing validity of converting an input image to an output image for a desired display method and creating/displaying the output image based upon the validity. Specifically, Swift et al. (‘585) merely discloses (paragraph [0028]), for example, a mechanism to increase or decrease the size at which media is displayed while preserving the stereo. Here, Swift et al. (‘585) discloses extraction of left and right media from a Stereoscopic 3D Media file using an analysis 10 for various display formats. In addition, Swift et al.

(‘585) explicitly discloses various embodiments for image scaling performed based upon identification of a storage method of the images, wherein the display size is increased or decreased based upon the storage method. However, Applicants respectfully assert that Swift et al. (‘585) fails to teach or suggest converting each pixel of the input image to a corresponding pixel for an output image in accord with a “support table matrix setting forth a predefined relationship between the first format and the second format to establish validity of the converting of the input image to the output image for a desired display method,” as required by amended independent claims 1 and 16. Moreover, Swift et al. (‘585) fails to teach or suggest “formatting the output image based upon the validity,” as further required by independent claims 1 and 16.

In addition, Applicants respectfully assert that Swift et al. (‘236) fails to remedy the deficiencies of Swift et al. (‘585) since Swift et al. (‘236) fails to teach or suggest performing converting each pixel of the input image to a corresponding pixel for an output image in accord with a support table matrix to establish validity of the converting of the input image to the output image for a desired display method, as well as formatting the output image based upon the validity, as required by amended independent claims 1 and 16.

As disclosed at page 7, line 25 to page 8, line 8 of Applicants’ Specification, the possibility of converting and/or displaying certain types of combinations of input images having a first format and output images having a second format can be determined and prevented. Specifically, a processor/converter can be provided with a support matrix table containing information to establish whether the combination of converting the first format to the second format for a desired display method is possible to produce, and

whether the combination is supported by a viewer to display the output images in the desired display method. Here, several examples are provided wherein use of the processor/converter can prevent invalid combinations of conversion from being made available or selectable by a user.

In addition, with regard to amended independent claim 13, Applicants respectfully assert that Swift et al. ('236) fails to remedy the deficiencies of Swift et al. ('585). Specifically, Swift et al. ('236) fails to teach or suggest use of a matrix that sets forth "validity of the converting of the input image to the output image for a desired display method," as required by amended independent claim 13. Here, although Swift et al. ('236) may teach or suggest use of object mappings for image format conversion, Applicants respectfully assert that Swift et al. ('236) is completely silent with regard to establishing validity of converting of an input image to an output image for a desired display method. Accordingly, Applicants respectfully assert that the combined teachings of Swift et al. ('585) and Swift et al. ('236) fail to establish a *prima facie* case obviousness with regard to at least amended independent claim 13.

For at least the reasons detailed above, Applicants respectfully request that the rejections of claims 1-8 and 10-21 be withdrawn.

CONCLUSION

Based on the above remarks, Applicants respectfully assert that the claims are in condition for allowance and such is respectfully requested. Applicants believe that no additional fees are necessitated by this response.

The Commissioner is hereby authorized to charge any additional fees required by this response to our Deposit Account No. **13-0480** (Attorney Docket No. 95194936-044021).

Respectfully Submitted,

/Brian C. McCormack, Reg. No. 36,601/

Date: March 13, 2009

By: Brian C. McCormack, Reg. No.36,601
Baker & McKenzie LLP
2001 Ross Avenue, Suite 2300
Dallas, TX 75201
Telephone: (214) 978-3007
Facsimile (214) 978-3099